

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Robert J. Monaco

Plaintiff(s),

-against-

City University of New York and Scott Cally

Defendant(s).

**JOINT PROPOSED  
CIVIL CASE MANAGEMENT PLAN**

25 Civ. 01387 (NCM) (VMS)

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**The parties/counsel who conferred in drafting this joint proposed case management plan:**

For Plaintiff(s): Scott Simpson and Raya Saksouk

For Defendant(s): Hayley Bronner

A. Do the parties request referral to the Court's ADR program? Yes: ☐ No: ☒

B. Do the parties consent to proceed before a Magistrate Judge pursuant to 28 U.S.C. § 636(c)?

Yes: ☐ If yes, fill out the AO 85 Notice, Consent and Reference of a Civil Action to a Magistrate Judge Form and file it on ECF. <https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge>.

No: ☒ If no, do not indicate which party declines consent.

C. The parties may wish to engage in settlement discussions.

If so, Plaintiff(s) will serve demand by 6/23/25 . Defendant(s) will respond by 7/25/25 .

D. Defendant(s) will answer or otherwise respond to complaint by 6/2/25 , if not yet done.

The parties will serve Rule 26(a)(1) initial disclosures by Plaintiff proposes 6/27/25 , if not yet done!<sup>1</sup> Defendants' position is that this is premature for the reasons stated in footnote 1.

The parties will serve initial document requests and interrogatories on or before Plaintiff proposes 7/3/25. Defendants' position is that this is premature for the reasons stated in footnote 1.

Any joinder and/or amendments of the pleadings must be made by 9/11/25 .

The parties will complete fact discovery by Plaintiff proposes 10/10/25. Defendants' position is that this is premature for the reasons stated in footnote 1.

If the parties perform expert discovery, they will serve initial disclosures by Plaintiff proposes 10/24/25 ; Defendants' position is that these dates are premature for the reasons stated in footnote 1.  
initial expert reports by Plaintiff proposes 10/24/25 ; and rebuttal expert reports on or before Plaintiff proposes 11/14/25  
All discovery, including expert depositions, will be completed by Plaintiff proposes 12/5/25 , and the parties will file a joint letter certifying the close of all discovery by this same date.

Other considerations the parties wish to bring to the Court's attention, such as the need for electronic discovery or confidentiality order: The parties wish to bring the need for a confidentiality order and electronic discovery to the Court's attention.

<sup>1</sup> Defendants note that on June 2, 2025, Defendants filed a letter requesting a pre-motion conference to seek permission to file a Rule 12(b)(6) motion to dismiss. See Dkt. No. 13. Defendants also requested that the Court stay discovery pending Defendants' anticipated motion to dismiss and stay the action pending arbitration. Therefore, Defendants believe the deadlines proposed by Plaintiff herein are premature. Defendants respectfully request the Court defer ruling on this CMP until after a decision on their anticipated motions are rendered. Plaintiff intends to oppose the stay of discovery, but agrees the Court should defer its ruling on the schedule pending the Court's ruling on Defendants' request for a stay of discovery (but not the motion to dismiss).